

Child Protection Accountability Commission
October 9, 2002
9:00 a.m.

Those in attendance: Lynn Howard, CPAC Chair; Honorable Peggy Ableman, Superior Court; Allan DeJong, M.D.; Mary Lou Edgar, Interagency Council on Adoption; Peter Feliceangeli, Esquire, DOJ; Jim Apostolico, DOJ; Diane Walsh, DOJ; Carlyse Giddins, DFS; Laura Miles, DFS; Joseph Smack, DFS; John Humphrey, CAC; Janice Mink, Grassroots Citizens for Children; Commissioner Patricia Stewart, Family Court; Roger Blevins, CPRB; Mary Ball Morton, OCM; Linda Wolfe, DOE; Tania Culley, OCA; Anne Pedrick, OCA; Nicole Tomlin, OCA; Stacy Samborski, OCA; Lynn Shreve, CASA; Karen DeRasmo, Prevent Child Abuse DE; Lieutenant Mark Daniels, DE State Police; & Sergeant Gerry Donovan, New Castle County Police.

I. Minutes from July 10, 2002 unanimously approved.

II. Division of Family Services Update/Carlyse Giddins

The statistical reports show that reports of child abuse decreased by 1% and they have accepted 2% more for investigation this past year. In investigation, DFS is in full complement of staff pursuant to Senate Bill 142. The trouble spots of investigation are in Sussex and New Castle County. In treatment, 12 workers are over the standard. The trouble spot of treatment is Kent County. Carlyse's goal was to have all case workers hired by September 1, 2002. They hired sixteen social workers in New Castle County. There are three caseworker positions open and one "over hire" position open. Case load numbers have increased, but S. B. 142 reflects fully functioning staff. Tania asked if these reports are broken down by serious injury cases because the child welfare system received an increase in reports in August. Carlyse can get the actual numbers broken down if needed. There were 17 serious injury cases in 21 days, but there was no previous history with the division and no trend.

They have developed an action plan in an effort to prevent child abuse and neglect. DFS sent out over 3,000 fliers to child care providers asking them to keep their cool with children. DFS is also going to try to get Public Service Announcements on the radio. They have support of key businesses to get prevention messages put on shopping bags, etc. They hope to partner with McDonald's to get the prevention message disseminated. DFS also sent prevention letters to various school Principals.

Tania suggested that the number of children coming into foster care was high in the last month, but Carlyse believes that the numbers actually went down from last year. There were increases in adoptions as well. She is seeing an improved balance. Her approach is to have staff err on the side of caution when considering safety and placement decisions.

Upon discussing staff composition, Janice Mink asked "how long have employees been on the job?" Carlyse noted that investigation experience has decreased but investigation is the most challenging function which contributes to a higher turnover rate. DFS has a lot of lateral position movement to other DFS functions. Candy Charkow has been asked to look at trends of movement. As far as treatment is

concerned, experience in those units has actually gone up. Janice asked if someone with less than two years experience is carrying twenty cases. Carlyse noted that the way the cases are assigned is by the availability of workers. In the first six to nine months of employment, they stagger the cases based on experience. She cannot say if someone who has less than 1 year may have more cases than someone with longer years in the agency. Janice asked what was the length of time for training? Six months is found to be enough time to get through core training, but training is really ongoing. With sixteen new hires, Dr. DeJong asks, how many DFS workers are you expecting in that time period to resign or transfer to another unit? Carlyse hopes to come out with 14-15% turnover for the year 2002. DFS would like to have turnover at 10%, but 15% is excellent in this business. The key, she suggests, will be filling the positions in a timely manner. The fact that they have five vacancies is the best shape they have been in since Carlyse has been on board, but they are currently subject to the new hiring freeze. Though the Department has been asked to cut budget, it will not affect the new hires. Commissioner Stewart recommended that the positions be exempt from the hiring freeze. This may be proposed in the form of a letter sent to the Governor.

Carlyse mentioned that “much thanks goes out to Anne Pedrick/OCA because she was part of planning and facilitation of the training on history”. The most recent DFS training was with the professional development unit called “Let’s Get Engaged.” The focus is on assisting staff on how to get families get engaged.

DFS presented a tool that they devised called the Service Entry Needs and Strengths Screen (SENSS). The goal for the tool is to do a consistent assessment with all children who enter the child welfare system. It looks at well-being and other behaviorial issues with the child. Mary Ball Morton is leading that effort. Treatment is using this assessment with all kids who come into care. This tool meets the criteria for well-being on the Child and Family Services Review Program Improvement Plan. Tania Culley asked, what if we have children who are involved with CMS, YRS, and DFS? What will prevent them from being polarized by all three systems? Carlyse stated that this is a one time screening instrument. This will be conducted on all family members. There are issues on who will complete the intake and they are working on this policy now. It is hoped that this assessment can indicate early risk and get people planning earlier.

Laura Miles discussed HB528, the Child Protection Registry. They have been able to establish a single division project manager. There has also been a work group formed to identify the eight critical areas that need their attention (Work Plan provided at the meeting). They pulled a list of cases that require review: 9,500 cases going back to August of 1994. There are 10,011 on the newest list to be reviewed. This will all need to be completed by January 1, 2003. There is one full time person and seven other experienced individuals (casual/seasonal) in place to review the cases. It was estimated that 1400 cases have been reviewed. For example, in only 15 days, 675 cases were reviewed suggesting they may be able to meet their deadline. Commissioner Stewart asked how many will reach the court system on appeal. Based upon past practice they have 300 cases which are under the appeal process and another 150 cases that would fall under expungement.

III. Office of the Child Advocate Update/Tania Culley, Esquire

The office manager position has been vacant since May 24, 2002. There were over 200 applicants from the first posting and only one person passed the computer test. Due to the poor response, a second posting was done which ended today. The office will be recruiting from local colleges to replace the casual/seasonal position. Tania's last day will be Friday, Nov 22, 2002 and she will return from maternity leave on March 3, 2003.

Currently, M.C. Landis has 28 cases with 6 adoptions pending. Angela has 38 cases. Evidently, the Office of the Child Advocate needs someone part time to handle the work load, especially since M.C. Landis can not handle that many cases and take care of Tania's duties while she is away on maternity leave. OCA would like to bring on a part time paid attorney to work about twenty hours weekly. Since there has not been an office manager since May, there is salary saved for that position.

Providing support to the *Pro Bono* attorneys continues to be the primary focus for the office. Recently, OCA hosted three training sessions because the Continuing Legal Education Rules said that the training video would expire on October 6, 2002. Currently, the office has 206 *Pro Bono* attorneys. Last Friday, fifty-one *Pro Bono*'s were trained. However, OCA has received a CLE waiver to extend the video for another year.

OCA is receiving a high volume of referrals from Kent County. There is an average of seven to ten referrals a week to OCA throughout the state. There are thirty-three kids waiting for representation and most have been court ordered. Forty-one cases are now in the review stage. Janice asked, "For those children on the waiting list that are court ordered, does Family Court hold off on the hearings?" Tania responded that the courts normally do not hold off with the exception of some custody cases.

OCA now has a website. All CPAC members and minutes of meetings can be accessed by a link on the site. Tania hopes to have the OCA newsletter out before she leaves on maternity leave. The new OCA Dover site is up and running. Angela Fowler/Deputy Child Advocate is there full-time and Celeste Bishop/Family Crisis Therapist, funded under a federal grant, is there part-time.

IV. Agency Update

A. Family Court/Commissioner Patricia Stewart

Family Court has experienced the same increase of incidents of child abuse and neglect. She noted that she had eight calls in one week after hours with four calls being on the same night. Commission Stewart provided everyone with a copy of the new interim Family Court rules, which should be effective December 1, 2002. Tania maintained that the rules are great because they have been using federal guidelines when there are no Delaware Court rules/guidelines saying what some court proceedings mean.

B. Children's Advocacy Center/John Humphrey

John noted that the grant for the Dover site is still pending and has been since July. The grant has received all but the last council vote. They are still trying to locate space in Dover for the facility. After the final vote, it will take two months to get "up and running". Once the Dover site is in place, they will have a site in each county, and those three centers will take them to the foreseeable future. He anticipates referrals going higher than they ever have been in previous years.

C. Department of Justice/Pete Feliceangeli

The Kent and Sussex positions that were open at the last meeting have been filled internally. Because a New Castle DAG filled one of those positions, there is now a vacancy in New Castle and the hiring freeze is affecting this position. He foresees a significant positive impact with the additional positions. He feels that witnesses will be better prepared. Jim Apostolico of the Sex Crimes Unit asserted that they are at full staff. Diane Walsh noted that her Department is two positions short and inundated with child abuse cases, which started in July. She hopes to hire a new Deputy, and will be back from maternity leave by April 1, 2003.

D. Law Enforcement/Lieutenant Mark Daniels

There will be multi-disciplinary conference on November 13th and 14th at the Dover Sheraton covering issues of stalking, forensic identification, elderly abuse, etc. There are 300 people registered to attend so far.

V. Committee Reports

a. Foster Care Subcommittee/Janice Mink

Janice Mink noted that the subcommittee has not met since July. A Foster Care Reform letter was distributed with information regarding a two-day long retreat to draft a model continuum of services to children and families involved in the child welfare system. The retreat will be in November held at the Sheraton and a follow up in December. Tania strongly encourages everyone to come to these focus groups. The facilitators are working for Child Welfare League of America and they are going to try to answer two questions: What kind of outcomes should be for kids? And how to get there? This retreat is thanks to a grant from MBNA.

b. Training/Karen DeRasmo

Karen commented on the training consortium. The website will be set up so individuals can do searches for trainings by topic or agency. The annual conference will be held on April 15, 2003 and they are looking for topics that will be important to the attendees. Anne announced that the next meeting will be on November 7, 2002 at 2:00p.m. at the Children's Department on Faulkland Road if

anyone would like to attend. Commissioner Stewart asked about the target audience. Anne suggested that they are still in the process of deciding, but police, medical professionals, social workers, and the Judicial system will be the likely attendees. Judge Ableman noted that there will be a “to be announced” out of town speaker.

VI. Other Business

A. Child Death Review Process Update

Tania noted that the Bill did pass and reviews have begun. Anne is rejuvenated because the individuals coming to the table are excited, asking great questions, and challenging each other. Lieutenant Mark Daniels feels it is a learning process as well. Linda Wolfe feels that good recommendations are being made, but if they are not taken to heart and action is not taken, some may see apathy from the group. Tania feels that this is a great opportunity to make this a collaborative effort. As the Child Death Review Commission comes up with recommendations, CPAC can monitor and give recommendations as well.

Judge Ableman asked how many cases are pending. It was suggested that there are about eight to ten cases are pending and that they are about two months behind. Cases are coming much faster now than four years ago. Mary Ball Morton said that her office is staffing the effort. Tania feels that if there is no staff it will not work because when economy goes down, child abuse unavoidably goes up. Janice Mink clarified that quick reviews need to be done for it to be successful. Judge Ableman has requested that minutes be distributed.

B. Child Welfare/Adoption Update

It was discussed at the last meeting to establish a subcommittee from CPAC regarding “Bests Interests” though CPAC. Mary Lou and Lynn met and felt that the better route would be to have some members of CPAC become members of the Interagency Subcommittee for Child Welfare and Adoption. She pointed out that the Interagency Subcommittee has become aware of many children who still do not have permanency. The question that she posed was “Is a child’s well-being looked at the same as abuse and neglect?” The Interagency’s major goal is to educate people about the kinds of decisions we are making and the impact on kids. Judge Ableman’s concern is the timing issue and how slowly the system operates. However, she feels that things have improved. Mary Lou noted that things have improved, but there is a small window of opportunity. She feels that keeping children safe is important, but not at the expense of their emotional well-being.

In addition to Judge Pyott and Randall Wimberly, Lynn Howard will be calling the seven individuals who have been chosen from CPAC to serve as a part of the interagency subcommittee for child welfare and adoption. The next meeting will be November 15th, 2002.

Community Notification Task Force Update

Karen suggested that the Public Service Announcements and media campaign will not be tagged as solely from the Children's Trust Fund. Tania noted that public awareness is an essential piece. The best prevention is to teach children about personal safety. It is a forefront issue and can be capitalized with the campaign. Tania also feels that the Commission will benefit by collaborating with the Children's Trust Fund. (Please see the attachment from Karen DeRasmo)

C. Public Comment

Lynn Howard asked, Do you feel that there is appropriate communication between the agencies? John Humphrey suggests there is because of the Children's Advocacy Center's case reviews. Carlyse emphasizes working with the community partners for better outcomes for children and that front line staff have begun to internalize that.

Dr. DeJong commented on HYPA regulations. He suggests that HYPA has scared doctors with regards to confidentiality. Tania asked if there were a copy of the regulations? Dr. DeJong made note that the regulations are still being drafted. Carlyse suggested, that it will be a major problem for collateral information because DFS relies a lot on medical professionals. Dr. DeJong mentioned, proper release forms will need to be signed, but they could be restrictive and time sensitive.

The Director of CMH is now Susan Cycyk.

Carlyse Giddins noted that the State of Delaware is on the verge of implementing the Amber system.

D. 2003 Schedule of Meetings

January 8, 2003

April 9, 2003

May 21, 2003, Special Legislative Meeting

July 9, 2003

October 8, 2003